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**UNITED STATES DISTRICT COURT**

**NORTHERN DISTRICT OF CALIFORNIA**

JEMS SOFTWARE AND CONSULTING,  
INC., on behalf of itself and all others  
similarly situated,

Plaintiff,

v.

LEXAR MEDIA, INC., *et al.*,

Defendants.

Case No. 3:07-CV-05041-EMC

**CERTIFICATE OF SERVICE**

I, Kellie Safar-Lerner, declare under penalty of perjury that the following is true and correct:

I am a citizen of the United States; am over the age of 18 years; am employed by Labaton Sucharow LLP, located at 140 Broadway, New York, NY 10005. I am not a party to the within action; and I caused a true and correct copy of the following documents in the manner indicated below:

CERTIFICATE OF SERVICE

1       **1. NOTICE OF LODGEMENT OF CROSS-MOTION TO APPOINT LABATON**  
2       **SUCHAROW LLP AS INTERIM LEAD COUNSEL OR, IN THE ALTERNATIVE, AS**  
3       **INTERIM CO-LEAD COUNSEL FOR DIRECT PURCHASER PLAINTIFFS**

4       **2. PLAINTIFF JEMS SOFTWARE AND CONSULTING, INC.'S NOTICE OF**  
5       **CROSS-MOTION AND CROSS-MOTION TO APPOINT LABATON SUCHAROW LLP AS**  
6       **INTERIM LEAD COUNSEL OR, IN THE ALTERNATIVE, AS INTERIM CO-LEAD**  
7       **COUNSEL FOR DIRECT PURCHASER PLAINTIFFS; RESPONSE TO MOTIONS FOR**  
8       **APPOINTMENT OF INTERIM CO-LEAD COUNSEL FOR DIRECT PURCHASER**  
9       **PLAINTIFFS;**

10       **3. MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF CROSS**  
11       **MOTION TO APPOINT LABATON SUCHAROW LLP AS INTERIM LEAD COUNSEL**  
12       **OR, IN THE ALTERNATIVE, AS INTERIM CO-LEAD COUNSEL FOR DIRECT**  
13       **PURCHASER PLAINTIFFS AND RESPONSE TO MOTIONS FOR APPOINTMENT OF**  
14       **INTERIM CO-LEAD COUNSEL;**

15       **4. DECLARATION OF HOLLIS L. SALZMAN IN SUPPORT OF NOTICE OF**  
16       **CROSS-MOTION AND CROSS-MOTION TO APPOINT LABATON SUCHAROW LLP AS**  
17       **INTERIM LEAD COUNSEL OR, IN THE ALTERNATIVE, INTERIM CO-LEAD**  
18       **COUNSEL FOR DIRECT PURCHASER PLAINTIFFS;**

19       **5. [PROPOSED] ORDER APPOINTING LABATON SUCHAROW LLP [INTERIM**  
20       **LEAD COUNSEL] [INTERIM CO-LEAD COUNSEL] FOR DIRECT PURCHASER**  
21       **PLAINTIFFS; and**

22       **6. CERTIFICATE OF SERVICE.**

23       ☒ **By Electronic Filing:** I served a true copy on this date of each document listed above via  
24       the Court's ECF system on all parties registered for electronic filing in the above action.

25       ☒ **By Mail:** I placed a true copy on this date of each document listed above in a sealed  
26       envelope addressed to each person listed on the service list below. I am readily familiar with  
27       the firm's practice of collection and processing correspondence for mailing. Under that  
28       practice, it would be deposited with the U.S. Postal Service on the same day with postage  
      thereon fully prepaid in the ordinary course of business. I am aware that upon motion of a  
      party served, service is presumed invalid if the postal cancellation date or postage meter  
      date is more than one day after date of deposit for mailing in the affidavit.

      Executed at New York, New York, on October 9, 2007.

By: /s/ Kellie Safar-Lerner  
      Kellie Safar-Lerner

**Mailing Information for a Case 4:07-cv-00086-SBA****Electronic Mail Notice List**

The following are those who are currently on the list to receive e-mail notices for this case.

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#### **Manual Notice List**

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

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